

## Exhibit A



**ARLINGTON POLICE**  
**ARLINGTON, MA**  
**Incident Report #5002866**

Page 1 of 2

Approved For Public View

Date/Time Printed: Fri Dec 01 13:05:18 EST 20 By: conroy

Case Title <b>ALLEGED THREATS</b>	Location <b>54 EGERTON RD</b>
Date/Time Reported <b>02/18/2005 16:37:00</b>	Date/Time Occurred <b>02/17/2005 12:00:00 to 02/17/2005 17:00:00</b>
Incident Type/Offense <b>THREATS (9250)</b>	

### Persons

	Role	Name	Sex	Race	Age	DOB	Home Phone	Address
1	REPORTING PERSON	ORFANOS, ARTHUR	MALE	WHITE	41	06/13/1963	7816464623	54 EGERTON RD ARLINGTON, MA
2	INVOLVED PARTY	PITINGOLO, JOHN R	MALE	WHITE	43	11/07/1961	781-646-7478	98 HARLOW ST ARLINGTON, MA

### Offenders

	Status	Name	Sex	Race	Age	DOB	Home Phone	Address

### Vehicles

	Role	Type	Year	Make	Model	Color	Reg #	State
	Stolen \$	Rec Code	Date Rec	Rec \$	Rec By			

### Property

	Class	Description	Make	Model	Serial #	Value

### Narrative

On the above named date and time, while assigned to Sector 4, this officer was dispatched to the station lobby for a report of threats. Upon arrival this officer spoke with the reporting party, Arthur Orfanos, who stated that he had been threatened by John Pitingolo through his brother, Steven Orfanos. Mr. Orfanos explained that he has been involved in an ongoing federal lawsuit with Mr. Pitingolo and that there have been other threats (see incident #4010564 and incident #40115778). Mr. Orfanos does not place much credibility in the threats and believes that Mr. Pitingolo is just trying to harass him due to the lawsuit. Mr. Orfanos just wants to have a report placed on file at this time in case there are future problems with Mr.

(Continued on next page)

Reporting Officer	Reviewing Officer	Approving Officer
KIERNAN J (3208)	FLAHERTY J (2685)	MCKENNA F (3645)



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## Persons (Continued from page 1)

	Role	Name	Sex	Race	Age	DOB	Home Phone	Address
3	INVOLVED PARTY	ORFANOS, STEVEN	MALE	WHITE	40	11/03/1964	781-646-6060	16 MILTON STREET ARLINGTON, MA

## Offenders

	Status	Name	Sex	Race	Age	DOB	Home Phone	Address

## Vehicles

	Role	Type	Year	Make	Model	Color	Reg #	State
	Stolen \$	Rec Code	Date Rec	Rec \$	Rec By			

## Property

	Class	Description	Make	Model	Serial #	Value

## Narrative (Continued from page 1)

Pitingolo. Mr. Orfanos was advised to contact the station if he required any further assistance. Dispatch ran Warrant and BOP checks on both parties (see attached).

Reporting Officer

KIERNAN J (3208)

Reviewing Officer

FLAHERTY J (2685)

Approving Officer

MCKENNA F (3645)

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**CASE NO. 04-11539-JLT**

**WALTER STICKLE, ANTHONY  
CALIENDO, JOHN PITINGOLO and  
DANIEL FISHER,  
Plaintiffs**

**v.**

**ARTHUR ORFANOS,  
Defendant**

**AFFIDAVIT OF STEVEN ORFANOS IN SUPPORT OF THE DEFENDANT'S  
OPPOSITION TO THE PLAINTIFFS MOTION TO PRECLUDE FURTHER  
FILINGS AND TO IMPOSE PENALTY**

I, Steven Orfanos, under oath, do hereby depose and state the following;

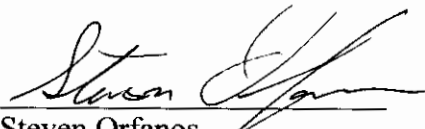
1. I am the brother of the Defendant in the above named case.
2. I am aware of the current litigation has been going on between my brother and his former band mates.
3. I live and work in Arlington Massachusetts. Both prior to and during this lawsuit, Plaintiff's Caliendo and Pitingolo have called and visited me at my place of work to speak to me with regard to this matter. Before they filed the lawsuit, I told them they should call Arthur and talk to him.
4. The Plaintiffs' told me that they were going to hire lawyers to go after my brother Arthur and sue him, whether he had money or not and it didn't matter if he had anything they were going to do what they could, even if it were only to ruin him.

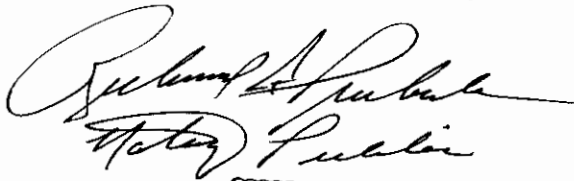
5. Plaintiffs' made specific comments and or threats to destroy my brother in anyway possible, namely, that their attorney told them that they can fix things in order to make Arthur pay them.

6. On or about February 17, 2005 Plaintiff Pitingolo visited my place of work. He stated that his brother was going to kill Arthur, and that "the other guys", were going to have the person that helps Arthur with his website killed or beaten up and that Tony Caliendo said that he was going to pay someone to have one of Arthur's witnesses beaten.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 4<sup>th</sup> DAY OF

December 2006

  
Steven Orfanos

  
Richard F. Penkala

